



## James D. Dati

### Member

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### Profile

**James concentrates his practice in business transactional and real estate law. He has extensive experience in creditor representation in bankruptcy, workouts, secured transactions, and commercial and contract law litigation, and is a Board Certified Business Bankruptcy Specialist. James has lectured widely on corporate and consumer bankruptcy and collection topics.**

Prior to joining the firm, James was a former Federal Judicial Law Clerk to the Hon. Stephen D. Gerling, United States Bankruptcy Court for the Northern District of New York (1985-1987).

### Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*® 2021, Real Estate Law
  - *Naples Illustrated Top Lawyers*® 2020, Corporate Law
- Florida Bar Association, Business Law and Real Property, Probate & Trust Law Sections
- New York State Bar Association, Business Law Section
- Collier County Bar Association, Real Estate Section

### Representative Matters

- Seller's counsel and closing agent for the personal and real property asset sale of a national franchisee's multiple "quick service" restaurant locations.
- Seller's counsel and closing agent for personal and real property asset sale of 84 wet slip/420 dry slip marina.
- Developer's counsel for the pre-eminent mixed use retail/residential project in North Naples, managing condominium unit sales, commercial leasing, construction lien issues and condominium association governance matters.
- Owner/operator's counsel for negotiation of multiple commercial leases – free standing, shopping center, office and mixed-use.
- Institutional lender's counsel for commercial term loans, construction loans and operating revolving lines of credit collateralized by mortgages, security interests, collateral assignments and guarantees.
- Seller's counsel for the personal and real property asset sale of an operating RV

### Education

- Creighton University (J.D. 1983)
- Marquette University (B.A. 1980)

### Bar/Court Admissions

- Florida
- New York
- North Carolina (inactive)
- Wisconsin (inactive)

### Practices

- Small Business
- Higher Education
- Property
- Labor and Employment
- Intellectual Property and Technology
- Business Restructuring, Creditors' Rights and Bankruptcy
- Business and Transactions
- Mergers and Acquisitions

park including the sale by a related entity of its real property.

- Real property investment counsel for the purchase, development and sale of improved and unimproved land.
- Buyer's and seller's counsel in equity-based mergers and acquisitions.
- Principal's counsel for deal-specific limited liability company, corporate, partnership and joint venture agreements, involving rights, authority and limitations for management, capital contributions, distributions, preferences, priorities, buy-sell and equity transfers.
- Developer's counsel for luxury condominium towers developments, including association formation and governance, state and federal, statutory and regulatory compliance and unit condominium sales.
- Entrepreneur's counsel for start-ups, including choice of entity considerations, management and governance issues, succession planning and third-party contracting.
- Buyer's and seller's counsel for luxury residential properties.
- Management's counsel for executive and employee contracts and severance.
- Secured creditor's counsel in bankruptcy, insolvency and lien enforcement matters.

## Other Activities

- Rotary District 6960, Club President of the Year, 2011
- Rotary International - Paul Harris Fellow
- The Foundation of the Rotary Club of Bonita Springs, Board Member, President, 2015-present
- The Rotary Club of Bonita Springs, Inc., President, 2010-2011
- Florida Licensed Real Estate Sales Associate
- Naples Area Board of Realtors (NABOR)
- Title Insurance Agent for Attorneys' Title Insurance Fund/Old Republic National Title Insurance Company
- Greater Naples Chamber of Commerce
- Bonita Springs Area Chamber of Commerce, Chairman of the Board, 2012-2013
- Bonita Springs Estero Economic Development Council, Inc., Board of Directors (Founding Officer), 2011-2014
- Children's Advocacy Center of Collier County, Board Member, 2016-present
- Naples Therapeutic Riding Center, Secretary
- Bonita Springs Assistance Office, Inc., Secretary, 2008-2010; Board of Directors, 2003-2010
- Leadership Collier, Class of 2016
- Leadership Bonita, Class of 2003
- Green Bay Packers, Inc. Shareholder